

TESTIMONY OF SENATOR JOHN EDWARDS
(Delivered by Alice Garland, Staff Director, on his behalf)

ENVIRONMENTAL PROTECTION AGENCY PUBLIC HEARING
FEBRUARY 25, 2004

Good Morning. I would first like to thank you for holding public hearings about the Bush Administration's proposed mercury and interstate air quality rules. It is critically important that the public have an opportunity to express their views on these proposed changes. I am grateful to be a part of this public hearing.

As we all know, mercury is a dangerous substance. It can cause neurological damage to babies and young children. We also know that mercury levels are rising and potentially harming our residents, especially our children. The EPA recently found that one in six women of childbearing age have enough mercury in their bloodstream to harm a fetus. As a result, 630,000 babies born next year can be expected to have unsafe mercury blood levels.

How is this happening? Mercury comes out of smokestacks, from big power plants, into the air, and then falls into our water systems, where it contaminates the fish. We eat the fish, and the level of mercury in our bodies increases.

What is the Administration doing about these dangerous mercury levels? The Food and Drug Administration is warning women and small children to limit their intake of fish.

Is it enough to tell women and kids not to eat the fish? Shouldn't we be doing more to clean up our air and our water?

Of course we should.

Now the Bush Administration wants to change the rules regulating mercury. These new rules would give coal-fired power plants, which spew toxic mercury into the air, until 2018 to make serious cutbacks to their mercury emissions. So, while he tells women, "Don't Eat the Fish," President Bush gives his friends in the power industry a free pass to continue spewing mercury into the air.

This is wrong.

The other problem with the Administration's plan is that it imposes a "cap and trade" system for mercury emissions. Mercury levels are highest at their sources, so an emissions trading program would allow the worst polluters to buy credits rather than lower their emissions. If polluters are allowed to buy credits, the most dangerous mercury "hot spots" -- the places where thousands of women and kids are suffering as a result of contaminated water -- will not get better, they will get worse.

This is wrong.

The Administration's new rules fly in the face of current law. At a time when mercury levels are rising, we should be upholding the Clean Air Act and strengthening our pollution laws. Instead, President Bush has offered a step backwards.

The good news is we already know how to turn this around and take a step forward. The EPA has identified technologies that would effectively lower mercury levels. Using proven technologies, power plants can reduce existing mercury emissions by 90%, bringing national mercury emissions down from nearly 50 tons a year to only 5 tons. These technologies work, and would result in a cleaner, safer environment and better health for our women and kids.

I have written to EPA Administrator Leavitt, along with many of my colleagues in the Senate, urging him to withdraw the entire proposed rule package and re-propose a rule that utilizes technologies to lower mercury levels in our air and water. We can do this, and we must.

Again, I thank the EPA for acknowledging the need to bring this issue to a public debate. I trust that at the end of the day we will all understand why the Administration's efforts to loosen mercury emission requirements are wrong for the states, wrong for our children, and wrong for the future generations to come.